

**MINUTES OF THE DRIVING TOUR OF THE
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

June 2, 2016

10:30 a.m.

Members Present:

Leland Leonard, Chairman
Frank Oglesby, Vice Chairman

Members Absent

Bob Winstead, Jr.
Ashok Gala
Bill Sumner

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of 2610 West Stone Drive. No official action was taken.

The driving tour concluded at 11:20 a.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

June 2, 2016, Regular Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Leland Leonard, Chairman
Frank Oglesby, Vice Chairman
Bill Sumner
Bob Winstead, Jr.

Members Absent

Ashok Gala

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

Tom Wells
Suzan Wines
James Wines
Jeff Uran
Rachel Burch
Ken Minnich

Chairman Leonard called the meeting to order.

Chairman Leonard explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. James Wines and Suzan Wines were sworn in.

Public Hearing:

Case: 16-701-00007 – Property located at 2610 West Stone Drive, Control Map 45B, Group C, Parcel 024.10 requests a 25 square foot variance to Sec 114-533(8)b. The code allows a maximum of 80 square feet of wall sign. Additionally, a variance is requested for an additional freestanding sign to Sec 114-533(8)a. The code allows for one freestanding sign. The property is zoned B-3, Highway Oriented Business District.

Mr. James Wines presented the case to the Board. Mr. Wines' presentation began with a brief slideshow which showcased previous examples of his design work and explained the Fatz Café proposal for their Kingsport location. Mr. Wines discussed the external remodeling proposal for Fatz Café, which is designed to be reminiscent of the restaurant's origin from a peach shed. Board discussion ensued. The Board acknowledged a distinction between architectural elements and what is considered signage in the zoning code. Mr. Winstead stated that, in his opinion, the only signage contained in the proposal was the traditional freestanding sign and the two internally illuminated wall signs. After further Board discussion about what constitutes a wall sign, focus was centered on the two internally illuminated wall signs, each proposed to be mounted to the back of the parapet of the structure. The Board also discussed the landscape

feature proposed to be constructed in the front yard of the parcel, between the structure and West Stone Drive. Chairman Leonard noted that the proposal, when viewed from certain angles, displays the name "Fatz." Mr. Winstead noted that there are differences between what the applicant is calling a "landscaping feature" and what staff has identified as a second, though non-traditional, freestanding sign.

Chairman Leonard, seeing no one wishing to speak, closed the public hearing.

Conducting the business meeting, Chairman Leonard called for the approval of the minutes. On a motion by Bill Sumner, seconded by Frank Oglesby, the minutes on of the May 5, 2016 driving tour and regular meeting were approved unanimously, 3-0.

The Board stated, for the record that the next Board of Zoning Appeals application deadline is June 15, 2016 at noon with a meeting date of July 7, 2016.

Next, Mr. Weems briefly discussed a member term sheet that was included in the packet. Mr. Weems noted that the next time a Board member's term expires is in 2017.

Adjudication of Cases:

Case: 16-701-00007 – Property located at 2610 West Stone Drive, Control Map 45B, Group C, Parcel 024.10

Chairman Leonard stated that the property, in his opinion, did not suffer from a hardship that would allow increased signage. Additionally, the Board made a determination that the landscape feature, proposed to be located in the front yard, is not a freestanding sign and will not be counted against the freestanding sign square footage or amount allotment. The Board also defined the only portion of the proposal that counts for wall signage are the two internally illuminated signs that are proposed to be mounted to the parapet of the building.

MOTION: made by Bob Winstead, Jr., seconded by Frank Oglesby to deny the wall sign variance due to lack of hardship.

VOTE: 3-1 to deny the request.

With no further business the meeting was adjourned at 12:45 p.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator